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HOUSE BILL 439

**48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008**

INTRODUCED BY

Henry 'Kiki' Saavedra

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO COURTS; CREATING ADDITIONAL JUDGESHIPS IN THE  
FIRST, THIRD, EIGHTH AND THIRTEENTH JUDICIAL DISTRICTS;  
CREATING AN ADDITIONAL BERNALILLO METROPOLITAN COURT JUDGESHIP;  
MAKING APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-6-4 NMSA 1978 (being Laws 1968,  
Chapter 69, Section 7, as amended) is amended to read:

"34-6-4. JUDGES--FIRST JUDICIAL DISTRICT.--There shall be  
[~~seven~~] eight district judges in the first judicial district."

Section 2. Section 34-6-6 NMSA 1978 (being Laws 1968,  
Chapter 69, Section 9, as amended) is amended to read:

"34-6-6. JUDGES--THIRD JUDICIAL DISTRICT.--There shall be  
[~~eight~~] nine district judges in the third judicial district."

Section 3. Section 34-6-11 NMSA 1978 (being Laws 1968,

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1 Chapter 69, Section 14, as amended) is amended to read:

2 "34-6-11. JUDGES--EIGHTH JUDICIAL DISTRICT.--There shall  
3 be [~~two~~] three district judges in the eighth judicial district  
4 serving divisions one and two. One of the judges shall  
5 maintain [~~his~~] the judge's principal office in Colfax or Union  
6 county, and the other [~~judge~~] two judges shall maintain [~~his~~]  
7 their principal [~~office~~] offices in Taos county. The chief  
8 judge of the eighth judicial district shall be selected by a  
9 majority of the district judges in that district. In the event  
10 of a tie, the senior judge shall be the chief judge."

11 Section 4. Section 34-6-16 NMSA 1978 (being Laws 1971,  
12 Chapter 52, Section 3, as amended) is amended to read:

13 "34-6-16. JUDGES--THIRTEENTH JUDICIAL DISTRICT.--There  
14 shall be [~~seven~~] eight district judges in the thirteenth  
15 judicial district. The judges of divisions one, three, [~~and~~]  
16 six and eight shall reside and maintain their principal offices  
17 in Valencia county. The judges of divisions two, five and  
18 seven shall reside and maintain their principal offices in  
19 Sandoval county. The judge of division four shall reside and  
20 maintain the judge's principal offices in Cibola county."

21 Section 5. Section 34-8A-8 NMSA 1978 (being Laws 1979,  
22 Chapter 346, Section 8, as amended) is amended to read:

23 "34-8A-8. METROPOLITAN COURT--BERNALILLO DISTRICT.--

24 A. The name of the metropolitan court in the  
25 Bernalillo metropolitan district shall be the "Bernalillo

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1 county metropolitan court".

2 B. The metropolitan court is an agency of the  
3 judicial department of state government. Personnel of the  
4 metropolitan court are subject to all laws and regulations  
5 applicable to state officers and agencies and state officers  
6 and employees, except where otherwise specifically provided by  
7 law.

8 C. There shall be [~~nineteen~~] twenty judges of the  
9 Bernalillo county metropolitan court."

10 Section 6. TEMPORARY PROVISION--DISTRICT AND METROPOLITAN  
11 JUDGES--APPOINTMENTS.--The additional district and metropolitan  
12 judgeships provided for in this 2008 act shall be filled by  
13 appointment by the governor pursuant to the provisions of  
14 Article 6 of the constitution of New Mexico.

15 Section 7. APPROPRIATIONS.--

16 A. The following amounts are appropriated from the  
17 general fund to the following agencies for expenditure in  
18 fiscal year 2009 for the following purposes:

19 (1) two hundred seventeen thousand five  
20 hundred thirty-five dollars (\$217,535) to the first judicial  
21 district for salaries and benefits and furniture, supplies and  
22 equipment for one additional district judge and support staff;

23 (2) two hundred seventeen thousand five  
24 hundred thirty-five dollars (\$217,535) to the third judicial  
25 district for salaries and benefits and furniture, supplies and

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1 equipment for one additional district judge and support staff;

2 (3) two hundred seventeen thousand five  
3 hundred thirty-five dollars (\$217,535) to the eighth judicial  
4 district for salaries and benefits and furniture, supplies and  
5 equipment for one additional district judge and support staff;

6 (4) two hundred seventeen thousand five  
7 hundred thirty-five dollars (\$217,535) to the thirteenth  
8 judicial district for salaries and benefits and furniture,  
9 supplies and equipment for one additional district judge and  
10 support staff; and

11 (5) two hundred ten thousand five hundred  
12 seventy-two dollars (\$210,572) to the Bernalillo county  
13 metropolitan court for salaries and benefits and furniture,  
14 supplies and equipment for one additional judge and support  
15 staff.

16 B. Any unexpended or unencumbered balance remaining  
17 at the end of fiscal year 2009 shall revert to the general  
18 fund.

19 Section 8. EFFECTIVE DATE.--The effective date of the  
20 provisions of this act is January 1, 2009.

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